

WELLVICA POLICY ON DEBARMENT OF DIRECT SELLING ASSOCIATES

Introduction

WELLVICA Private Limited (hereinafter referred to as “WELLVICA” or the “Company”) is committed to complying with the Consumer Protection (Direct Selling) Rules, 2021 and all applicable laws governing Direct Selling businesses in India.

The Company is dedicated to protecting consumer interests and ensuring that all Direct Sellers conduct their business ethically, transparently, and in accordance with the Company's policies and applicable laws. This Policy establishes the grounds and procedures for suspension, deactivation, blacklisting, or debarment of a Direct Seller's ID.

Applicability

This Policy shall apply to all registered Direct Sellers of WELLVICA.

Failure to comply with the provisions of this Policy, the Company's Code of Conduct, applicable laws, or regulatory requirements may result in suspension, cancellation, or blacklisting of the Direct Seller's ID.

Objective

The objective of this Policy is to:

- Protect consumer interests.
 - Maintain ethical business practices.
 - Prevent fraudulent, misleading, or unlawful activities.
 - Ensure compliance with Direct Selling laws and regulations.
 - Safeguard the reputation and goodwill of WELLVICA.
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Applicable Laws

This Policy shall be governed by:

- Consumer Protection Act, 2019
- Consumer Protection (Direct Selling) Rules, 2021

- Consumer Protection (E-Commerce) Rules, 2020
 - Information Technology Act, 2000
 - Any other applicable laws and regulations in force in India
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BLACKLISTED DIRECT SELLER

A "Blacklisted Direct Seller" means a registered Direct Seller whose authorization has been suspended, terminated, cancelled, or debarred by the Company due to violation of Company policies, applicable laws, or regulatory requirements.

Grounds for Blacklisting / Debarment

A Direct Seller may be blacklisted or debarred on any of the following grounds:

1. Violation of Code of Conduct

Violation of the WELLVICA Code of Conduct, Policies, Procedures, or Terms & Conditions.

2. Fraudulent Activities

Engaging in fraud, misrepresentation, deception, coercion, harassment, unlawful practices, or permitting others to do so.

3. Misleading Conduct

Engaging in or permitting any conduct that is misleading or likely to mislead consumers regarding products, services, earnings, business opportunities, or any material aspect of the Direct Selling business.

4. Mis-selling or Bulk Selling

Engaging in mis-selling, unauthorized bulk selling, or promoting products through misleading representations.

5. Unlawful Business Practices

Using fraudulent, coercive, unconscionable, unlawful, or deceptive means for promoting products or business opportunities.

6. Refusal of Refund or Product Return

Refusing to honor applicable return, replacement, refund, or buyback policies approved by the Company.

7. Charging Unauthorized Fees

Charging any entry fee, subscription fee, registration fee, joining fee, or any unauthorized payment from consumers or prospective Direct Sellers.

8. Misleading Purchase Inducement

Inducing consumers to purchase products by representing that product costs can be recovered merely by introducing prospective customers or participants.

9. Legal Disqualification

If the Direct Seller:

- Has been declared bankrupt by a competent court;
- Is of unsound mind;
- Has been convicted of an offence involving moral turpitude, fraud, or financial misconduct;
- Has concealed material legal information from the Company.

10. Failure to Fulfil Business Obligations

Including but not limited to:

a.

Promoting, operating, participating in, or enrolling any person into a Pyramid Scheme.

b.

Participating in any Money Circulation Scheme.

c.

Engaging in Unfair Trade Practices as defined under the Consumer Protection Act, 2019.

d.

Remaining inactive or non-operational for a continuous period as determined by Company policy.

e.

Holding Direct Selling IDs with competing Direct Selling entities, directly or indirectly, in violation of Company policies.

f.

Defaming the goodwill, reputation, products, management, employees, Direct Sellers, or business operations of WELLVICA.

g.

Inciting, influencing, or encouraging other Direct Sellers to act against the interests of WELLVICA.

11. Other Violations

A Direct Seller may also be blacklisted if he/she:

- i. Visits a consumer without carrying a valid Direct Seller Identity Card or without prior appointment where required.
- ii. Distributes or uses promotional materials not approved by WELLVICA.
- iii. Makes unauthorized product, income, health, or business claims.
- iv. Sells WELLVICA products through unauthorized e-commerce platforms, including but not limited to Amazon, Flipkart, Snapdeal, Meesho, or similar marketplaces.
- v. Fails to comply with registration or regulatory requirements prescribed under applicable laws.
- vi. Commits any other act considered detrimental to the interests, reputation, or business operations of WELLVICA.

Consequences of Blacklisting

Upon blacklisting or debarment:

1. The Direct Seller shall immediately cease all Direct Selling activities related to WELLVICA.
2. The Direct Seller shall not purchase, market, distribute, or sell any WELLVICA products.
3. The Direct Seller's name shall be removed from the Register of Active Direct Sellers.
4. The Direct Seller's details shall be entered into the Register of Blacklisted Direct Sellers maintained by the Company.

5. The Company may publish the status of such Direct Seller as "Blacklisted / De-listed Direct Seller" on its official records and systems, wherever legally permissible.
 6. The Company may withhold, adjust, or recover incentives, commissions, bonuses, or benefits as permitted under applicable laws and Company policies.
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Procedure for Debarment / Blacklisting

Step 1: Show Cause Notice

If a Direct Seller is suspected of violating any provision of this Policy, the Company may issue a Show Cause Notice specifying the alleged violations.

Step 2: Opportunity of Hearing

The concerned Direct Seller shall be given a reasonable opportunity to submit an explanation and supporting evidence within the period specified in the notice.

Step 3: Evaluation

The Company shall review the explanation, documents, and evidence submitted by the Direct Seller.

Step 4: Decision

If the explanation is found satisfactory, the Company may allow the Direct Seller to continue business operations.

If the explanation is found unsatisfactory or if no response is received within the prescribed period, the Company may:

- Suspend the ID;
- Terminate the ID;
- Blacklist the Direct Seller;
- Initiate legal proceedings, wherever applicable.

Step 5: Updating Records

Upon blacklisting:

- The Direct Seller's name shall be removed from active records.

- The details shall be recorded in the Company's Blacklisted Direct Seller Register.
 - Necessary compliance and legal actions may be initiated depending on the nature of the violation.
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Company's Right to Take Legal Action

WELLVICA reserves the right to initiate civil, criminal, regulatory, or other legal proceedings against any Direct Seller whose actions result in financial loss, reputational damage, legal liability, or violation of applicable laws.

Notification of Changes

WELLVICA reserves the right to amend, modify, revise, or update this Policy at any time.

Any such changes shall become effective upon publication on the Company's official website. Direct Sellers are advised to review this Policy periodically to remain informed of updates.

Contact Us

For any queries, clarification, or support regarding this Policy, please contact:

Email: support@wellvica.com

WELLVICA PRIVATE LIMITED

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